

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

1) STATE OF OKLAHOMA, ex rel. JOHN DOAK	)	
INSURANCE COMMISSIONER, AS RECEIVER	)	
FOR PARK AVENUE PROPERTY &	)	
CASUALTY INSURANCE COMPANY	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-12-457-F
	)	
1) PYRAMID DIVERSIFIED SERVICES, INC.	)	(Removed from District Court,
d/b/a SIMPLE HR,	)	Oklahoma County, Oklahoma;
	)	Case No.: CJ-2012-1425)
Defendant.	)	

**NOTICE OF REMOVAL**

Pyramid Diversified Services, Inc. d/b/a Simple HR (“Simple HR”), Defendant herein, files its Notice of Removal of the above-entitled action from the District Court of Oklahoma County, State of Oklahoma to the United States District Court for the Western District of Oklahoma. As grounds for this Removal, the Defendant states as follows:

1. This Notice of Removal is made pursuant to 28 U.S.C. § 1332, 1367, 1441 and 1446.

2. The above-entitled action was instituted by the Plaintiff against Defendant Simple HR, by the service of a Summons and Complaint, on or about March 26, 2012, and this action is now pending in the District Court of Oklahoma County, State of Oklahoma. Thus, this Notice of Removal is being filed within 30 days after receipt by Simple HR of the initial pleading setting forth the claim for relief under 28 U.S.C. § 1446(b).

3. At the time of the commencement of the action, the Plaintiff was and still is the State of Oklahoma by and through its Insurance Commissioner, John Doak, serving as receiver for Park Avenue Property & Casualty Insurance Company, an Oklahoma domestic insurance company.

4. Simple HR is a Florida corporation with its principal place of business located at 36374 Emerald Coast Parkway, Building B, Destin, Florida 32541.

5. This action is of a civil nature, involves a controversy wholly between citizens of different states, the value of the matter in dispute in said cause exceeds the sum of Seventy Five Thousand and No/100ths (\$75,000.00) Dollars, exclusive of interest and costs, as appears from the allegations contained in Plaintiff's Complaint, and said action is one over which the District Court of the United States has original jurisdiction.

6. Defendant files together with this Notice a copy of all process, pleadings and orders served upon it in this action. *See* Petition attached hereto as Exhibit 1, and Summons attached hereto as Exhibit 2.

7. Pursuant to LCvR 81.2(a), a copy of the State Court Docket Sheet is attached hereto as Exhibit 3.

8. Defendant Simple HR, has filed a copy of the Notice of Removal with the Clerk of Court for the District Court of Oklahoma County, State of Oklahoma.

9. Simple HR expressly reserves all rights and defenses relating to Plaintiff's claims.

WHEREFORE, Defendant prays that the Court take jurisdiction of this action pursuant to this Notice of Removal and issue all necessary orders and process in order to

remove the above-captioned case from the District Court of Oklahoma County, Oklahoma to the United States District Court for the Western District of Oklahoma.

Respectfully Submitted,

/s/Kenneth A. Tillotson

Kenneth A. Tillotson, OBA No. 19237

PHILLIPS MURRAH P.C.

Corporate Tower, Thirteenth Floor

101 N. Robinson

Oklahoma City, OK 73102

Telephone: (405) 235-4100

Facsimile: (405) 235-4133

E-mail: [katillotson@phillipsmurrah.com](mailto:katillotson@phillipsmurrah.com)

***Attorneys for Defendant,  
Pyramid Diversified Services, Inc.  
d/b/a Simple HR***

**CERTIFICATE OF SERVICE**

I hereby certify that on the 25<sup>th</sup> day of April, 2012, I caused to be mailed, with proper postage fully prepared thereon, a true and correct copy of the above and foregoing instrument, to the following parties:

John M. O'Connor, Esquire  
Keith A. Wilkes, Esquire  
William W. O'Connor, Esquire  
Christopher S. Thrutchley, Esquire  
Gregory P. Reilly, Esquire  
NEWTON, O'CONNOR, TURNER & KETCHUM, P.C.  
15 West Sixth Street, Suite 2700  
Tulsa, Oklahoma 74119-5423

***Attorneys for the Plaintiff***

/s/Kenneth A. Tillotson

Kenneth A. Tillotson